

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
2011 AUG 22 AM 11:17

ELMON MCCARROLL ELMORE, JR.,)
)
Plaintiff,)
)
v.)
)
ASSISTANT WARDEN PEGGY ANN)
COOPER, Coffee Correctional)
Facility, individually and in)
her official capacity, and)
CORRECTIONS CORPORATION OF)
AMERICA, a Tennessee)
Corporation,)
)
Defendants.)
)

CLERK
SO. DIST. OF GA.

CASE NO. CV508-004

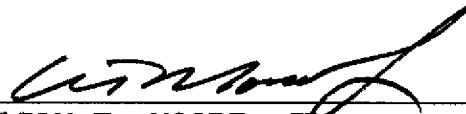
O R D E R

Before the Court are Plaintiff's Motion to Enlarge the Record (Doc. 222) and Motion for Leave to Appeal In Forma Pauperis (Doc. 228). After a careful review, the Court finds no merit to Plaintiff's request to add to the record in this case. Therefore, his Motion to Enlarge the Record is DENIED.

In this case, "[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." 28 U.S.C. § 1915(a)(3); see Fed. R. App. P. 24(a)(3)(A). After careful consideration, the Court finds that this appeal is frivolous and not taken in good faith. Plaintiff is clearly not entitled to a

reopening of the time to file an appeal from this Court's order granting Defendants' Motion for Summary Judgment and dismissing Plaintiff's case. In addition, an appeal of this Court's order denying Plaintiff's Motion to Amend/Correct Judgment would be frivolous. Accordingly, Plaintiff's Motion for Leave to Appeal In Forma Pauperis is DENIED.

SO ORDERED this 22ND day of August 2011.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA